

**U.S. District Court
District of South Dakota (Southern Division)
CIVIL DOCKET FOR CASE #: 4:18-cv-04039-RAL**

Danielson v. Huether et al
Assigned to: U.S. District Judge Roberto A. Lange
Demand: \$300,000
Cause: 42:1983 Civil Rights Act - Civil Action for Deprivation of Rights

Date Filed: 04/13/2018
Jury Demand: Plaintiff
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: Federal Question

Plaintiff

Bruce Danielson

represented by **Bruce Danielson**
PO Box 491
Sioux Falls, SD 57101
(605)376-8087
PRO SE

V.

Defendant

Mike Huether

represented by **Alexis A. Warner**
Woods, Fuller, Shultz & Smith, PC
PO Box 5027
Sioux Falls, SD 57117-5027
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Defendant

David Pfeifle

TERMINATED: 12/19/2018

represented by **Alexis A. Warner**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

James E. Moore
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Marty Jackley

TERMINATED: 12/19/2018

represented by **Alexis A. Warner**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

James E. Moore
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Defendant

Heather Hitterdal

TERMINATED: 12/19/2018

represented by **James E. Moore**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

James E. Moore
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

State of South Dakota

TERMINATED: 12/19/2018

represented by **Alexis A. Warner**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

James E. Moore
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

John Doe

TERMINATED: 12/19/2018

Date Filed	#	Docket Text
04/13/2018	1	COMPLAINT with Jury Demand filed by Bruce Danielson. (JLS) (Entered: 04/13/2018)
04/13/2018	2	CIVIL COVER SHEET. (JLS) (Entered: 04/13/2018)
04/13/2018	3	Filing Fee Received from Bruce Danielson. Fee Amount: \$400, Receipt No.: #SDX400046600. (JLS) (Entered: 04/13/2018)
04/13/2018	4	Summons Issued as to City of Sioux Falls, Heather Hitterdal, Mike Huether, David Pfeifle, Commissioner of Administration. 6 original summons, 8 A085s, and one Rule 73 memo delivered to plaintiff via hand-delivery. (JLS) Modified text on 5/14/2018 (JLS). (Entered: 04/13/2018)
04/13/2018	5	New Case LETTER with enclosed copy of the docket sheet sent by Clerk's Office to Bruce Danielson. (JLS) (Entered: 04/13/2018)
04/16/2018	6	ORDER OF RECUSAL. U.S. District Judge Karen E. Schreier recused. Signed by U.S. District Judge Karen E. Schreier on 4/16/18. (SLW) (Entered: 04/16/2018)
04/16/2018	7	ORDER REASSIGNING CASE. Judge Karen E. Schreier no longer assigned to case. Signed by Chief Judge Jeffrey L. Viken on 4/16/18. (SB) (Entered: 04/16/2018)
04/16/2018		U.S. District Judge Lawrence L. Piersol added. (SLT) (Entered: 04/16/2018)
04/16/2018	8	Summons issued as to Marty Jackley, State of South Dakota. 2 original summons with attached AO85 form handed to Mr. Danielson. (JLS) (Entered: 04/16/2018)
04/20/2018	9	ORDER OF RECUSAL. U.S. District Judge Lawrence L. Piersol recused. Signed by U.S. District Judge Lawrence L. Piersol on 4/20/18. (SLW) (Entered: 04/20/2018)
04/23/2018	10	ORDER REASSIGNING CASE. Judge Lawrence L. Piersol no longer assigned to case. Signed by Chief Judge Jeffrey L. Viken on 4/23/18. (SB) (Entered: 04/23/2018)
05/07/2018	11	MOTION to Dismiss for Failure to State a Claim by City of Sioux Falls, Heather Hitterdal, Mike Huether, Marty Jackley, David Pfeifle, State of South Dakota. (Moore, James) (Entered: 05/07/2018)
05/07/2018	12	MEMORANDUM in Support re 11 MOTION to Dismiss for Failure to State a Claim filed by All Defendants. (Moore, James) (Entered: 05/07/2018)
05/14/2018	13	SUMMONS Returned Executed by Bruce Danielson. City of Sioux Falls served on 4/13/2018, answer due 5/4/2018; Heather Hitterdal served on 4/13/2018, answer due 5/4/2018; Mike Huether served on 4/13/2018, answer due 5/4/2018. (Attachments: # 1 Envelope postmarked 5/12/18)(DJP) (Entered: 05/14/2018)
05/14/2018	14	SUMMONS Returned Executed by Bruce Danielson. Marty Jackley served on 4/18/2018, answer due 5/9/2018; David Pfeifle served on 4/18/2018, answer due 5/9/2018; State of South Dakota served on 4/18/2018, answer due 5/9/2018. (Attachments: # 1 Danielson env 5/12/18)(DJP) (Entered: 05/14/2018)
05/14/2018	15	Proof of Service of Summons served on Scott Bollinger, B.O.A. Commissioner S.D. on 4/18/18. (Attachments: # 1 Envelope postmarked 5/12/18)(DJP) (Entered: 05/14/2018)
05/29/2018	16	MOTION and Brief to Extend Deadlines by Bruce Danielson. (Attachments: # 1 Proposed Order, # 2 Attachment- email, # 3 Envelope postmarked 5/25/18) (SLW) (Entered: 05/29/2018)
06/06/2018	17	ORDER ENLARGING TIME FOR RESPONSE BRIEF granting 16 Motion to Extend Deadlines. Plaintiff shall serve and file a brief by 7/9/2018. Signed by U.S. District Judge Roberto A. Lange on 06/06/2018. (LH) (Entered: 06/06/2018)
07/10/2018	18	RESPONSE to Motion re 11 MOTION to Dismiss for Failure to State a Claim filed by Bruce Danielson. (Attachments: # 1 Envelope postmarked 7-9-18) (JLS) (Entered: 07/10/2018)
07/23/2018	19	REPLY to 18 Response to Motion to Dismiss 11 filed by All Defendants. (Moore, James) Modified on 7/24/2018 to link to original motion (KLK). (Entered: 07/23/2018)
07/23/2018	20	AFFIDAVIT in Support re 11 MOTION to Dismiss for Failure to State a Claim filed by All Defendants. (Attachments: # 1 Exhibit Participation Agreement) (Moore, James) (Entered: 07/23/2018)
07/23/2018	21	CERTIFICATE OF SERVICE by City of Sioux Falls, John Doe, Heather Hitterdal, Mike Huether, Marty Jackley, David Pfeifle, State of South Dakota re 20 Affidavit in Support of Motion . (Moore, James) (Entered: 07/23/2018)
12/19/2018	22	OPINION AND ORDER granting in part 11 Defendants' Motion to Dismiss. Signed by U.S. District Judge Roberto A. Lange on December 19, 2018. (copy sent to Bruce Danielson along with the District of South Dakota Civil Local Rules of Practice via U.S. Postal Service) (DLC) Modified Docket Text on 12/19/2018 (DLC). (Entered: 12/19/2018)
01/09/2019	23	ANSWER to 1 Complaint by Mike Huether. (Moore, James) (Entered: 01/09/2019)
01/10/2019	24	ORDER for Discovery Report and Scheduling Information. Signed by U.S. District Judge Roberto A. Lange on 01/10/2019. (LH) Modified on 1/11/2019 Sent to Bruce Danielson via USPS (KLE). (Entered: 01/10/2019)
02/04/2019	25	Joint MOTION and Brief to Enlarge Time by Bruce Danielson. (Attachments: # 1 Attachment to Motion, # 2 Proposed Order) (DLC) (Entered: 02/04/2019)
02/05/2019	26	ORDER granting 25 Joint Motion to Enlarge Time. Signed by U.S. District Judge Roberto A. Lange on 02/05/2019. (LH) Modified on 2/5/2019 sent to Bruce Danielson via USPS (KLE). (Entered: 02/05/2019)
03/11/2019	27	Discovery Report re 24 Order for Discovery Report <i>Joint</i> by Mike Huether. Related document: 24 Order for Discovery Report.(Moore, James) (Entered: 03/11/2019)
03/13/2019	28	RULE 16 SCHEDULING ORDER: Discovery due by 1/10/2020; Motions due by 2/28/2020. Signed by U.S. District Judge Roberto A. Lange on 03/12/2019. (LH) Modified on 3/13/2019 sent to Bruce Danielson via USPS (KLE). (Entered: 03/13/2019)
05/13/2019	29	MOTION to Amend 28 Scheduling Order by Bruce Danielson. (Attachments: # 1 Email, # 2 Proposed Order) (DJP) (Entered: 05/13/2019)
05/20/2019	30	FIRST AMENDED RULE 16 SCHEDULING ORDER granting 29 Motion to Amend Scheduling Order: Discovery due by 1/10/2020; Motions due by 2/28/2020. Signed by U.S. District Judge Roberto A. Lange on 05/20/2019. (LH) Modified on 5/20/2019 cc: Bruce Danielson via USPS (KLE). (Entered: 05/20/2019)

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